

From: Matt
To: Microsoft ATR
Date: 1/23/02 1:13pm
Subject: Microsoft Settlement

To Judge Kollar-Kotelly and whom it may concern,

I fear the Microsoft antitrust trial is deeply misunderstood, by the prosecution and the public at large. The consequences could be dire if a settlement is reached too early and in Microsoft's favor.

This case has a lot in common with the trials of the railroad monopolies. By their end, public infrastructure in the form of superhighways was at hand. People no longer depended on the railroads as the only means of transportation cross country, and federally funded interstate roads provided an alternative to moving people and goods only by tracks. The introduction and assistance of cross country roads from the government helped resist the price fixing from the railroads and gave people a choice. Ultimately that choice resulted in heightened interstate commerce and heavy population of the west coast of the United States.

Like the railroad companies, closed source operating system companies will always gravitate towards monopolistic unified control. This is in part because of the difficulty of building a new operating system infrastructure (building a new set of cross country tracks) and partially because it lowers the parent companies costs. Any remedy must be ongoing until the United States congress sees fit to address the cost of building, obtaining, or securing an open source software infrastructure.

Any assistance from the government helps drive back the very real market force of fear of obsolescence, which helps repair the psychological damage caused by previous competition being wholly futile. Compare the argument, "why should I buy a car when there are plenty of trains and there are no roads" to the modern application obsolescence quandary, "Why should I buy an operating system when there are no applications, and Windows is free?" (Windows is not free, but that is the public perception).

Like moving goods, only when people can choose to manipulate information in the fashion which proves most efficient for them will the free market flourish. At the least, Microsoft license terms and prices must be predictable and uniform for however long it takes for a federal infrastructure to be made readily available for use by Americans. Then the market can choose once again.

Thank you for your time.

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